

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of

Tomoharu TSUJI

Serial No. 10/759,355 : Group Art Unit: 2631

Filed: January 16, 2004 :

For: DATA TRANSMISSION SYSTEM : AND WEARABLE

COMMUNICATION DEVICE : Docket No. S004-5195

MS DD COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER PATENT RULES 97 AND 98

SIR:

Applicant submits this information disclosure statement pursuant to 37 CFR §§1.97 and 1.98.

The present application was filed more than three months prior to the filing of this statement. However, as of the date of filing of this statement, neither a final action under 37 CFR §1.113 nor a notice of allowance under 37 CFR §1.311 has been mailed in this application. Accordingly, this

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information disclosure statement is being filed under 37 CFR §1.97(c) and is accompanied by the following 37 CFR §1.97(e) certification:

Rule 97(e) Certification

Applicant's undersigned attorney, pursuant to 37 CFR §1.97(e), hereby certifies that each item of information disclosed herein was cited in a Search Report of a foreign Patent Office in applicant's counterpart foreign application not more that three months prior to the filing of this information disclosure statement.

Information Disclosure Statement

Pursuant to 37 CFR §1.98, a list of patents, publications or other information submitted for consideration by the PTO is provided on annexed Form PTO-1449. A legible copy of each item of information listed on the Form is submitted herewith. Also submitted is a copy of the Search Report which cited each item of information.

As to each item of information, if any, which is not in the English language, a concise explanation of the relevance thereof pursuant to 37 CFR §1.98(a)(3) is given in the Search Report which cited the information.

Consideration of this information disclosure statement is respectfully requested.

Respectfully submitted,

ADAMS & WILKS Attorneys for Applicant

Byz.

Bruce

Adams

Reg. No. 25,386

50 Broadway 31st Floor New York, NY 10004 (212) 809-3700

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: MS DD, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Kelly Eric Bowman

Name

Signature

July 26, 2004

Date

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